German enough to live on - She mentioned that she intended to leave her a house, a watch and chain, a silver Basket and a Piano. The house she intended to leave her was in York Street or East Baltimore Street. That she held conversations to that effect with the Witness frequently. That this was between two and three years before her death. That witness went to Philadelphia shortly after that, but paid Mrs Craig a visit every spring. Witness called on Mrs Craig the spring before her death but she was not at home. He and Mrs Craig name her stock often, but that she does not recollect of her saying anything about giving it to Anna Maria German.

And the said Martha Blatchley being cross examined by the defendant's Counsel testified - That she had conversations with Mrs Craig every Spring. That she heard her say she intended to leave Ann Mariah German a house in York Street, a piano, a watch and chain, and silver and a bed and bedstead. She also said as long as she lived she intended to take care of Anna Maria German and intended to leave her when she died enough to live on. The last conversation I had with Mrs Craig was about two or three years before her death. I saw her afterwards and asked her if she still kept Anna Maria German as her own and she said yes.

The defendant then offered John Nanan who having been sworn testified that he was sent for to go to the house of Jonathan German to draw the will of Mrs Craig; that he had known Mrs Craig for many years, that he went up to Mrs Craig's room and asked Mrs Craig to give him the bequests. She did so and gave him some deeds to draw the will by - that he put them down rough and then read them to her slowly and asked her if it was right; she said it was, that he then took the papers home with him and drew the will from the memorandums he had made.

When he had prepared the will he took it down the next day to Mrs Craig and read it to her and asked her if it was what she wanted, she replied that it was. He then sent for witnesses and caused it to be executed and handed it to her. That he was always under the impression that Mrs German's name was Ann Maria. that he thought she was named after Mrs Craig. That he inserted the "wife of Jonathan German" after the name that there might be no mistake about the person intended. That he has no recollection that the name Anna Maria was mentioned - that he put it down of his own accord and then read it to her. That Mrs Craig was in good health at that time and was staying at Jonathan German's, and it was about three or four months before Mrs Craig died. That he was not intimately acquainted with Anna Maria and Mrs German. Mrs Craig moved in Witnesses' circle. Mr German and family did not.

On Cross examination the witness testified. That he had known Mrs Craig ever since he was a boy. that he was not in Mrs Craig's house for four or five years, perhaps it might have been seven years or more previous to Mrs Craig's death. That his acquaintance with Mrs Craig was more of a professional than of a social character. He saw her occasionally, but not for seven or eight years before her death, that he recollects. That he was not intimate with and did not visit Mr German's family socially. that he never was in Mr German's dwelling house before that time. That he had known Mrs German and seen her sometimes upon the street and sometimes at Mr Rife's store.

That he knew Mrs German had a daughter named Anna Maria German. That he knew the names of the other children of Jonathan German. Joseph Stansbury German was one. Rebanna was another. That he had known Joseph Stansbury German for some time. Anna Maria German was at Mr German's after the will was drawn. Can't say that he knew Mary Ann Cragg and did not know there was such a person. That he did not know Richard Chenoweth's middle name. That he supposes Mrs Craig gave him the names of the different devisees, though he does not recollect that she gave him either the name of Mary Ann Cragg or Richard T. Chenoweth. That she does recollect she gave him the name of Joseph Stansbury German. that he took down the names of devisees from Mrs Craig's lips. He varied from the plan he came he thought Mrs German was intended. That he supposes Mrs Craig knew Anna Maria and Catharine very likely he wrote down the names of the devisees as Mrs Craig gave them to him.

That he wrote the will at his own house - that he took the memoranda and deeds to his office and from them drew up the will in form as it now stands. - that he did put down the "son of Jonathan German" to the name of Joseph Stansbury German of his own accord and not because he was so directed by Mrs Craig. He did it as he had down "the wife of Jonathan German." He knew there was a Sarah Ann Chenoweth - He took the names and put down the relation of his own caution. That he thought Mrs German's name was Anna Maria. That he thought she was so called after Mrs Craig and that he wrote down the words Anna Maria German (wife of Jonathan German) "in the rough draft."

Witness was then re-examined by defendant's counsel and testified. That he had no recollection that Mrs Craig gave him the name Anna Maria German but she might have done so. She did not say daughter - He put the words "wife" himself and that Mrs Craig did not tell him. That he was of the impression it was for the wife.

The defendant then prayed the Court to direct the Jury - That if they shall believe that the testatrix Anna Craig executed the writing given in the testimony as her will and all the other testimony given in the case then notwithstanding all the parol testimony and notwithstanding that the jury shall believe that the Christian name of Jonathan German's wife is Catharine and not Anna Maria and that Anna Maria is the christian name of said Jonathan's daughter and that she was so living and so named at Testatrix's making her will and that she is now Anna Maria Gordon & the wife of Wm. J. M. Gordon and was married to said Gordon after the testatrix's death, the plaintiffs are not entitled to recover, the true construction of said will being notwithstanding the error in the said wife's christian name, to pass to the wife of the said Jonathan German the property in the several devises and bequests therein set forth as made to "Anna Maria German wife of Jonathan German." Which instruction prayed for the Court refused to give, to which refusal and act of the Court the defendant excepted and prayed the Court to sign and seal this his bill of exceptions, which is accordingly done this thirteenth day of February in the year of our Lord one thousand Eight hundred and fifty four.

William Frick (Seal)

And thereupon the said defendant by his attorneys aforesaid prays an appeal from the judgment of the Court here so as aforesaid rendered